

Applicant : Nariyoshi Shinomiya et al.
For : *c-met* siRNA ADENOVIRUS VECTORS INHIBIT CANCER CELL
GROWTH, INVASION AND TUMORIGENICITY
Page : 6

REMARKS

Claims 1-38 are pending in the present application. Claim 15 is withdrawn and claims 39-47 have been cancelled. New claims 48-50 have been added by the present amendment. In the Office Action, the Examiner stated (a) Applicants are required to submit a Sequence Listing, (b) claim 1 is objected to because of an inconsistency, and (c) restriction is required under 35 U.S.C. 121 and 372.

A. Notice to Comply

The Examiner indicates “the application does not contain, as a separate part of the disclosure, a paper or compact disc copy, or sequence listing disclosing each nucleotide and/or amino acid sequence, as required by 37 CFR 1.821(c).” Accordingly, Applicants submit herewith a Sequence Listing in ASCII format with the file name “VAN67_P328A_Sequence_Listing.txt” created on November 14, 2008 and which has a file size of 40,960 bytes. The content of the Sequence Listing does not include matter which goes beyond the disclosure in the patent application as filed.

Applicants request entry of the Sequence Listing submitted herewith into the application.

B. Claim Objection

The Examiner objected to claim 1 as inconsistent with the disclosure in the specification. Accordingly, Applicants have amended claim 1 to refer to SEQ ID NO:3.

C. Election/Restrictions

In the Office Action, the Examiner stated that Applicants are required to elect a group of claims for prosecution between Group I (claims 1-20 and 38), II (claims 1-20 and 38) and III (claims 1-20 and 38).

Applicants provisionally elect Group I without traverse. Group I of the claims is drawn to an interfering RNA molecule having a sequence that is sufficiently complementary to a sequence of mRNA encoded by human *c-met* (SEQ ID NO:1), and to RNAi molecules, expression constructs, and vectors thereof, and to a method of use thereof for treating a *c-met* tumor or cancer in a subject. Claims 1-38 and 48-50 encompass the elected invention.

The Office Action further indicates Groups I, II, and III comprise claims to a plurality of

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Page : 7

different inventions. Applicants further elect the following: (a) SEQ ID NO:15 as the sequence of RNAi molecule used to inhibit c-met (claims 4-7); (b) a “stable” expression vector as the type of vector used to deliver the RNAi molecule (claims 15 and 16); and (c) si-hMet-Ad5²²¹ as the physical and/or chemical characteristics of the Ad5 vector encoding the RNAi molecule (claims 19 and 20).

All pending claims are believed to be in condition for allowance, and a Notice of Allowability is therefore earnestly solicited.

Respectfully submitted,

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Date

/Douglas H. Siegel/

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